

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 PER-01 CIAE-00 INR-07 NSAE-00 L-03 /024 W
-----240142Z 107334 /71

R 231404Z DEC 76
FM AMEMBASSY WARSAW
TO AMEMBASSY BUCHAREST
INFO SECSTATE WASHDC 5723
AMEMBASSY BUDAPEST
AMEMBASSY PRAGUE
AMEMBASSY MOSCOW
AMEMBASSY SOFIA

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E.O. 11652: N/A
TAGS: AFSP, AGMT
SUBJECT: PROPOSED CONTROL OF LOCAL EMPLOYEES

REF: BUCHAREST 7417

1. THE GOP HAS SO FAR NOT MADE ANY OVERT ATTEMPT TO PLACE POLISH EMPLOYEES OF DIPLOMATIC MISSIONS ON ITS OWN PAYROLL. WE HAVE THEREFORE HAD NO OCCASION FOR A FORMAL APPROACH TO THE MFA ON THIS SUBJECT.

2. HOWEVER, IN AN OMINOUS CIRCULAR NOTE (NO. PD 101-3-74-OG.), DATED NOVEMBER 8, 1976, THE MFA INFORMED ALL DIPLOMATIC MISSIONS THAT, IN ACCORDANCE WITH THE PROVISIONS OF A LABOR LAW AND CODE DATED JUNE 26, 1974, THE WORK RELATIONSHIP BETWEEN POLISH CITIZENS AND FOREIGN MISSIONS IS SUBJECT TO THE PROVISIONS OF THE NEW LABOR CODE QTE IF INTE IF INTERNATIONAL AGREEMENTS DO NOT PROVIDE OTHERWISE UNQTE.

3. READING LIKE A UN RESOLUTION, THE NOTE WENT ON TO:

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(A) OBSERVE THAT EMPLOYMENT CONTRACTS MUST BE IN WRITTEN FORM;
(B) ENCLOSE A MODEL CONTRACT FOR USE BY THE EMBASSY IN EMPLOYING POLISH CITIZENS;
(C) EXPRESS THE HOPE THAT USE OF A STANDARD CONTRACT WOULD CONTRIBUTE TO THE AVOIDANCE OF MISUNDERSTANDINGS IN THE OBSERVANCE OF THE CONDITIONS OF THE POLISH LABOR CODE; AND

(C) REMIND MISSIONS THAT, IN ACCORDANCE WITH A DECREE DATED AUGUST 2, 1945, ADVERTISING FOR AND HIRING OF POLISH CITIZENS TAKES PLACE THROUGH THE EMPLOYMENT OFFICES OF DISTRICT GOVERNMENTS.

4. AT A RECEPTION ON NOVEMBER 11, THE ADMINISTRATIVE COUNSELOR ENCOUNTERED THE RESPONSIBLE MFA OFFICIAL (DIPLOMATIC PROTOCOL GENERAL-LEGAL SECTION CHIEF HENRYK TROJANOWSKI) AND ASKED WHETHER THE NOTE WAS TO BE INTERPRETED AS AN INDICATION THAT PAST EMBASSY PERFORMANCE IN THE LOCAL EMPLOYMENT AREA HAD BEEN UNSATISFACTORY. POINTING OUT THAT WE USE VARIOUS AVENUES OF RECRUITMENT AND THAT USG EMPLOYMENT FORMS PROVIDE THE SAME INFORMATION IN A DIFFERENT FORMAT FROM THE POLISH MODEL, THE ADMINISTRATIVE COUNSELOR ASKED WHETHER USE OF THE MODEL CONTRACT AND OF THE SERVICES OF POLISH EMPLOYMENT OFFICES WERE MANDATORY. TROJANOWSKI REPLIED THAT THE NOTE WAS INTENDED ONLY TO BE HELPFUL TO EMBASSIES, THAT CURRENT AMERICAN EMBASSY PROCEDURES WERE SATISFACTORY, AND THAT USE OF THE MODEL CONTRACT AND OF POLISH EMPLOYMENT OFFICES WAS OPTIONAL. HE ADDED THERE WAS NO REASON FOR THE EMBASSY TO BE CONCERNED ABOUT THE NOTE.

5. A MEETING OF ADMINISTRATIVE OFFICERS OF FRIENDLY EMBASSIES ON DECEMBER 1 YIELDED NO ADDITIONAL INFORMATION ON THIS SUBJECT. A NUMBER OF ADMINISTRATIVE OFFICERS SAID THEY PLANNED TO MAKE NO CHANGES IN THEIR CURRENT PROCEDURES ON THE BASIS OF THE NOVEMBER 8 NOTE.

6. ISSUANCE OF PASSPORTS FOR FOREIGN TRAVEL TO EMBASSY FSL DRIVERS (SEE BUDAPEST 4249) HAS ALSO BEEN A SOURCE OF CONCERN LIMITED OFFICIAL USE

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TO US, NOT ONLY IN TERMS OF LENGTH OF TIME REQUIRED FOR ISSUEANCE, BUT ALSO IN TERMS OF COST: ZLOTYS 2,000 (DOLLARS 100.40 AT OFFICIAL RATE OF EXCHANGE) PER TRIP. WE RECENTLY ASKED TROJANOWSKI WHETHER AN EXCEPTION COULD NOT BE MADE FOR EMBASSY FSL EMPLOYEES ON OFFICIAL TRAVEL. HE SAID THERE COULD BE NO EXCEPTION, BUT ADDED THAT POLAND EXPECTS TO INTRODUCE SOON A PASSPORT VALID FOR MULTIPLE EXITS, AND THAT THIS WOULD SIMPLIFY OFFICIAL TRAVEL BY FSL EMPLOYEES. COMMENT: ACCORDING TO CURRENT RUMORS, THE NEW PASSPORT WILL COST EITHER 5,000 OR 10,000 ZLOTYS. END COMMENT.
BROWN

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